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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,646	09/30/2003	Kourosh Gharachorloo	60963-0011-US	8957

24341 7590 10/17/2007

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EXAMINER	
LE, MIRANDA	

ART UNIT	PAPER NUMBER
2167	

MAIL DATE	DELIVERY MODE
10/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/676,646	GHARACHORLOO ET AL.	
	Examiner	Art Unit	
	Miranda Le	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 August 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to Amendment, filed 08/03/2007.

Claims 1-31 are pending in this application. Claims 1-6, 9, 11-13, 15-18, 21, 23, 25-28 have been amended. This action is made Final.

2. The objection to the specification (claim objection) of the invention has been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-7, 11-19, 23-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (US Patent No. 6,826,557), in view of Emens et al. (US Patent No. 6,832,218).

As to claims 1, 12, Carter teaches a method for searching a document database *(i.e. The query engine 16 is additionally operative to communicate with one or more informational resources. As discussed above, an informational resource can take a variety of forms, including relational databases, hierarchal databases, directories, hypertext markup language "HTML"*

documents, web pages, files, textual documents, blobs, sets of formatted transactions, and the like, col. 4, lines 48-64), comprising:

receiving a search query *(i.e. The query engine 16, col. 4, lines 48-64)*;

returning a search result corresponding to the search query, including:

determining whether a query result corresponding to the search query is stored in a cache *(i.e. A cache is then searched for the query and results data responsive to the query, col. 2, lines 33-44);*

when the determining returns a negative result *(i.e. whether the query is a Old query which needs to be recorded or registered within the cache or data store, col. 9, lines 28-34)* generating a first search result in accordance with a first set of predetermined search criteria *(i.e. one or more external or local data stores, parsed, normalized, properly associated with the Old query and registered within the cache or data store in step 79 with the results data returned to the sender, directly or indirectly, in step 82, col. 10, lines 14-20)* and returning as the search result at least a subset of the first search result *(i.e. If a received query is an entirely Old query step, then the results data responsive to the query request is retrieved from one or more external or local data stores, parsed, normalized, properly associated with the Old query and registered within the cache or data store in step 79 with the results data returned to the sender, directly or indirectly, in step 82, col. 10, lines 14-20);*

when the determining returns a positive result *(i.e. A cache is then searched for the query and results data responsive to the query, if the query and results data are present in the cache, they are returned. Further, if partial results data exists in the cache then the missing results data are obtained and associated with the query in the cache and a complete response is*

returned including an assembled results data responsive to the original query, col. 2, lines 33-44);

when predefined conditions are satisfied *(i.e. whether the query is a subset of another existing query within the cache or data store (step 78), col. 9, lines 28-34),* generating an improved search result *(i.e. create superset, Fig. 5)* in accordance with a second set of predetermined searching criteria including performing an additional search *(i.e. If some of the results data necessary to satisfy the superset query is not present within the cache or data store, it may be obtained through standard search and retrieval techniques from one or more external or local data stores, then parsed, normalized, and properly associated with the Oldly formed superset query and query components within the cache or data store, col. 9, line 64 to col. 10, line 7)* corresponding to the search query, and returning as the search result at least a subset of the improved search result *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44); and*

when the predefined conditions are not satisfied *(i.e. if a duplicative query is detected within the cache or data store, then the results data which is responsive to that query is immediately located and returned or otherwise made available indirectly (e.g., hypertext links, websites, faxes, and the like) to the sender in step 74, col. 9, lines 59-63),* returning as the search result at least a subset of cached search result of the query stored in the cache *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44).*

Carter does not specifically teach:

accessing a reuse count of the cached search result;

including the reuse count being larger then a predetermined threshold count.

Emens teaches:

accessing a reuse count of the cached search result *(i.e. a count of the number of times each hyperlink has previously been selected in response to the same query can also be stored in the database. The relative counts can then be used to order the original list of search results and/or the alternate list of search results that were previously selected, col. 4, lines 47-67);*

including the reuse count being larger then a predetermined threshold count *(i.e. The count value can also be used to set a minimum threshold of selections before a search result is added to the alternate list, col. 4, lines 47-67).*

It would have been obvious to one of ordinary skill of the art having the teaching of Carter and Emens at the time the invention was made to modify the system of Carter to include the limitations as taught by Emens. One of ordinary skill in the art would be motivated to make this combination in order to order the original list of search results and/or the alternate list of search results that were previously selected in view of Emens (col. 4, lines 47-67), as doing so would give the added benefit of providing a better performance of monitoring user search result selections relative to search queries as taught by Emens (col. 2, lines 14-24).

As to claim 2, 13, Carter teaches a method for searching a document database *(i.e. The query engine 16 is additionally operative to communicate with one or more informational resources. As discussed above, an informational resource can take a variety of forms, including*

relational databases, hierarchal databases, directories, hypertext markup language "HTML" documents, web pages, files, textual documents, blobs, sets of formatted transactions, and the like, col. 4, lines 48-64), comprising:

receiving a search query *(i.e. The query engine 16, col. 4, lines 48-64);*

returning a search result corresponding to the search query, including:

determining whether a search result corresponding to the search query is stored in a cache *(i.e. A cache is then searched for the query and results data responsive to the query, col. 2, lines 33-44);*

when the determining returns a negative result *(i.e. whether the query is a Old query which needs to be recorded or registered within the cache or data store, col. 9, lines 28-34)* generating a first search result in accordance with a first set of predetermined search criteria *(i.e. A cache is then searched for the query and results data responsive to the query, col. 2, lines 33-44)* and returning as the search result at least subset of the first search result *(i.e. A cache is then searched for the query and results data responsive to the query, col. 2, lines 33-44)*;

when the determining returns a positive result *(i.e. A cache is then searched for the query and results data responsive to the query, if the query and results data are present in the cache, they are returned. Further, if partial results data exists in the cache then the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44)*, determining a quality of the cached search result *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44),* generating an

improved search result in accordance with a second set *(i.e. the query data store, col. 2, lines 53-65)* or predetermined search criteria using additional search resources *(i.e. one or more external data stores, col. 2, lines 53-65);*

when a quality indication of the cached search result does not meet predefined criteria *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44),* returning as the search result at least a subset of the cached search result *(i.e. A cache is then searched for the query and results data responsive to the query, col. 2, lines 33-44);*

when the quality indication meets the predefined criteria *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44),* returning as the search result at least a subset of the improved search result *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44).*

Carter does not expressly teach:

accessing a reuse count of the cache search result;

when the reuse count is less than or equal to a predetermined threshold count;

when the reuse count is larger than the predetermined threshold count.

Emens teaches:

accessing a reuse count of the cache search result *(i.e. a count of the number of times each hyperlink has previously been selected in response to the same query can also be stored in the database. The relative counts can then be used to order the original list of search results and/or the alternate list of search results that were previously selected, col. 4, lines 47-67);*

when the reuse count is less than or equal to a predetermined threshold count *(i.e. The count value can also be used to set a minimum threshold of selections before a search result is added to the alternate list, col. 4, lines 47-67);*

when the reuse count is larger than the predetermined threshold count *(i.e. The count value can also be used to set a minimum threshold of selections before a search result is added to the alternate list, col. 4, lines 47-67).*

It would have been obvious to one of ordinary skill of the art having the teaching of Carter and Emens at the time the invention was made to modify the system of Carter to include the limitations as taught by Emens. One of ordinary skill in the art would be motivated to make this combination in order to order the original list of search results and/or the alternate list of search results that were previously selected in view of Emens (col. 4, lines 47-67), as doing so would give the added benefit of providing a better performance of monitoring user search result selections relative to search queries as taught by Emens (col. 2, lines 14-24).

As per claims 3, 15, Carter teaches updating the cache with the improved search result *(i.e. a system for retrieving queries is provided comprising one or more data stores housing responsive query data to a query, a query registration set of executable instructions operable to receive a normalized query and record the query along with the responsive query data in a*

managing data store, and a notification set of executable instructions operable to send a notification to the managing data store if at least a portion of the responsive query data is modified when associated with the query, col. 2, lines 44-52); and

Emens teaches updating the reuse count of the cached search result *(i.e. a count of the number of times each hyperlink has previously been selected in response to the same query can also be stored in the database. The relative counts can then be used to order the original list of search results and/or the alternate list of search results that were previously selected, col. 4, lines 47-67).*

As per claim 4, 16, Emens teaches when the reuse count is larger than the predetermined threshold count *(i.e. The count value can also be used to set a minimum threshold of selections before a search result is added to the alternate list, col. 4, lines 47-67)*;

returning as the search result at least a subset of the improved search result *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44).*

Carter teaches:

the quality indication does not meet the predefined criteria *(i.e. the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44);*

indicates the cached search result is the improved search result corresponding to the search query, retrieving the improved search result from the cache*(i.e. Normalization instruction*

data and managing instruction data are operable to parse and normalize the query and results data, searching for query data in a cache or query data store and operable to obtain and assemble results data as needed to satisfy the query data from the cache, the query data store, or one or more external data stores. Moreover, response instruction data is operable to return the query results data associated with the query data, col. 2, lines 53-65).

As to claims 5, 17, Carter teaches:

when the quality indication has a first value, the cache search result is generated by searching only the document database *(i.e. A cache is then searched for the query and results data responsive to the query, if the query and results data are present in the cache, they are returned. Further, if partial results data exists in the cache then the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44); and*

wherein the second set of search criteria comprises searching both the document database and an additional database *(i.e. A cache is then searched for the query and results data responsive to the query, if the query and results data are present in the cache, they are returned. Further, if partial results data exists in the cache then the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, col. 2, lines 33-44).*

As to claims 6, 18, Carter teaches:

when the quality indication has a first value, the cache search result is generated by searching the document database using a standard search depth *(i.e. if a duplicative query is detected within the cache or data store, then the results data which is responsive to that query is immediately located and returned or otherwise made available indirectly (e.g., hypertext links, websites, faxes, and the like) to the sender in step 74, col. 9, lines 59-63); and*

the second set of predetermined search criteria comprises searching the document database with a larger search depth than the standard search depth *(i.e. If some of the results data necessary to satisfy the superset query is not present within the cache or data store, it may be obtained through standard search and retrieval techniques from one or more external or local data stores, then parsed, normalized, and properly associated with the Oldly formed superset query and query components within the cache or data store, col. 9, line 64 to col. 10, line 7).*

As to claims 7, 19, Carter teaches:

wherein the first set of search criteria comprises searching the document dataset using initial search criteria *(i.e. if a duplicative query is detected within the cache or data store, then the results data which is responsive to that query is immediately located and returned or otherwise made available indirectly (e.g., hypertext links, websites, faxes, and the like) to the sender in step 74, col. 9, lines 59-63); and*

wherein the second set of predetermined search criteria comprises searching the document database using modified search criteria distinct from the initial search criteria *(i.e. If some of the results data necessary to satisfy the superset query is not present within the cache or data store, it may be obtained through standard search and retrieval techniques from one or*

more external or local data stores, then parsed, normalized, and properly associated with the Oldly formed superset query and query components within the cache or data store, col. 9, line 64 to col. 10, line 7).

As to claims 11, 23, Carter teaches:

retrieving the standard search result from the cache *(i.e. one or more external or local data stores, parsed, normalized, properly associated with the Old query and registered within the cache or data store in step 79 with the results data returned to the sender, directly or indirectly, in step 82, col. 10, lines 14-20)*; and

returning at least a subset the standard search result as the first search result *(i.e. one or more external or local data stores, parsed, normalized, properly associated with the Old query and registered within the cache or data store in step 79 with the results data returned to the sender, directly or indirectly, in step 82, col. 10, lines 14-20).*

Emens teaches the reuse count is less than or equal to the predetermined threshold count *(i.e. The count value can also be used to set a minimum threshold of selections before a search result is added to the alternate list, col. 4, lines 47-67).*

As per claim 14, Carter teaches the system of claim 13, wherein the search results in the cache comprise:

identifications of documents *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set*

24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64);

contents of portions of documents corresponding to at least a subset of the identifications of documents *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64); and*

parameters of documents corresponding to the identifications of documents *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64).*

As per claim 24, Carter teaches the system of claim 13, including:

one or more interface modules for receiving a search query *(i.e. The query engine 16, col. 4, lines 48-64);*

one or more storage modules for storing document identifications and the corresponding documents to be searched *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64);*

wherein the search controller is configured to generate the improved search result by searching at least a subset of the stored document identifications *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64).*

As to claims 25, 26, 27, 28, Carter teaches updating the cached search result in the cache with the improved search result *(i.e. the query registration set of executable instructions may include a Query Engine 96 which receives normalized queries and Query Engine Updates 95, the updates include responsive query data which satisfies a query, col. 10, lines 31-42).*

As per claim 29, Carter teaches the method of claim 2, wherein generating the improved search result includes searching both the document database *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64)* and an additional database *(i.e. an informational resource can take a variety of forms, including relational databases, hierarchal databases, directories, hypertext markup language "HTML" documents, web pages, files, textual documents, blobs, sets of formatted transactions, and the like, col. 4, lines 48-64; one or more external or local data stores, , col. 9, line 64 to col. 10, line 7).*

As per claim 30, Carter teaches the method of claim 2, wherein generating the improved search result includes searching the document database to a larger search depth used in generating the first search result *(i.e. If some of the results data necessary to satisfy the superset query is not present within the cache or data store, it may be obtained through standard search and retrieval techniques from one or more external or local data stores, then parsed, normalized, and properly associated with the Oldly formed superset query and query components within the cache or data store, col. 9, line 64 to col. 10, line 7).*

As per claim 31, Carter teaches the method of claim 2, wherein generating the improved search result includes searching using modified search criteria distinct from the initial search criteria *(i.e. a superset query may be updated as needed, col. 10, lines 8-13).*

5. Claims 8, 10, 20, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (US Patent No. 6,826,557), in view of Emens et al. (US Patent No. 6,832,218), and further in view of Getchius et al. (US Patent No. 6,493,721).

As to claims 8, 20, Carter teaches generating an improved search result comprises:

submitting the search query to one or more document identification and document servers *(i.e. an informational resource can take a variety of forms, including relational databases, hierarchal databases, directories, hypertext markup language "HTML" documents, web pages, files, textual documents, blobs, sets of formatted transactions, and the like, col. 4, lines 48-64; one or more external or local data stores, , col. 9, line 64 to col. 10, line 7)* in accordance with the second set of predetermined search criteria *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the*

corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64);

receiving search results from the one or more document identification *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64).*

Carter and Emens do not specifically teach:

creating a search result list from the received search results.

Getchius teaches creating a search result list from the received search results *(Figs. 12, 14).*

It would have been obvious to one of ordinary skill of the art having the teaching of Carter, Emens and Getchius at the time the invention was made to modify the system of Carter and Emens to include the limitations as taught by Getchius. One of ordinary skill in the art would be motivated to make this combination in order to display a resulting display page in response to the query performed with information specified in view of Getchius *(col. 10, lines 12-22)*, as doing so would give the added benefit of efficiently updating and returning a resulting displayed listing information in accordance with the previous search criteria as taught by Getchius *(col. 10, lines 12-22).*

As to claims 10, 22, Carter teaches generating a standard search result comprises:

submitting the search query to one or more document identification *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64)* and document servers in accordance with the first set of predetermined searching criteria *(i.e. an informational resource can take a variety of forms, including relational databases, hierarchal databases, directories, hypertext markup language "HTML" documents, web pages, files, textual documents, blobs, sets of formatted transactions, and the like, col. 4, lines 48-64; one or more external or local data stores, , col. 9, line 64 to col. 10, line 7);*

receiving search results from the one or more document identification *(i.e. The data set name 22 can be textual, numeric, an address or pointer, or any other appropriate means for identifying the corresponding data set 24. If the data set name 22 for a given data set 24 cannot be determined from the informational resource 20, the query engine 16 assigns an appropriate data set name 22, col. 4, lines 48-64)* and document servers *(i.e. an informational resource can take a variety of forms, including relational databases, hierarchal databases, directories, hypertext markup language "HTML" documents, web pages, files, textual documents, blobs, sets of formatted transactions, and the like, col. 4, lines 48-64; one or more external or local data stores, , col. 9, line 64 to col. 10, line 7).*

Carter and Emens do not expressly teach:

creating a search result list from the received search results.

Getchius teaches creating a search result list from the received search results *(Figs. 12, 14).*

It would have been obvious to one of ordinary skill of the art having the teaching of Carter, Emens and Getchius at the time the invention was made to modify the system of Carter and Emens to include the limitations as taught by Getchius. One of ordinary skill in the art would be motivated to make this combination in order to display a resulting display page in response to the query performed with information specified in view of Getchius *(col. 10, lines 12-22)*, as doing so would give the added benefit of efficiently updating and returning a resulting displayed listing information in accordance with the previous search criteria as taught by Getchius *(col. 10, lines 12-22).*

6. Claims 9, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (US Patent No. 6,826,557), in view of Emens et al. (US Patent No. 6,832,218), and further in view of Schultz (US Patent No. 6,208,988).

As to claims 9, 21, Carter teaches:

when the cache is determined not to have stored therein the search result corresponding to the search query *(i.e. Engine 96 and the managing set of executable instructions do not automatically update responsive query data associated with a registered query unless requested to do so by the sender. In this way a sender, may force the updates by submitting a IFMODSINCE 97 variable or expression for the sender's query which evaluates to true 100, col. 11, lines 1-12);*

generating a standard search result in accordance with the first set of predetermined search criteria *(i.e. one or more external or local data stores, parsed, normalized, properly associated with the Old query and registered within the cache or data store in step 79 with the results data returned to the sender, directly or indirectly, in step 82, col. 10, lines 14-20); and*

storing the standard search result in the cache *(i.e. one or more external or local data stores, parsed, normalized, properly associated with the Old query and registered within the cache or data store in step 79 with the results data returned to the sender, directly or indirectly, in step 82, col. 10, lines 14-20);*

returning at least a subset of the standard search result *(i.e. one or more external or local data stores, parsed, normalized, properly associated with the Old query and registered within the cache or data store in step 79 with the results data returned to the sender, directly or indirectly, in step 82, col. 10, lines 14-20).*

Carter and Emens do not specifically teach:

setting the reuse count of the cached search to an initial value.

Schultz teaches setting a count to an initial value *(i.e. setting the reuse count of the search query to an initial value, col. 9, lines 20-45).*

It would have been obvious to one of ordinary skill of the art having the teaching of Carter, Emens and Schultz at the time the invention was made to modify the system of Carter and Emens to include the limitations as taught by Schultz. One of ordinary skill in the art would be motivated to make this combination in order to count the selected document in view of Schultz (col. 9, lines 20-45), as doing so would give the added benefit of achieving the technique

where the document record having a metadata field with the highest count corresponding to the given person will appear first on the ranked list corresponding to the given person, and the document record having a metadata field with the lowest count corresponding to the given person will appear last on the ranked list as taught by Schultz (col. 9, line 66 to col. 10, line 34).

Response to Arguments

7. Applicant's arguments filed 08/03/2007 have been fully considered but they are not persuasive as follows:

a. Carter discloses "an unimproved search" (Claims 1, 2, 12, 13).

Carter discloses an improved search as *a complete response is returned including an assembled results data responsive to the original query, (col. 2, lines 33-44).*

b. Carter does not teach a second set of predetermined searching criteria (Claims 1, 2, 12, 13).

A first and second set of predetermined search criteria equates to the query data from the cache, the query data store respectively *(i.e. Normalization instruction data and managing instruction data are operable to parse and normalize the query and results data, searching for query data in a cache or query data store and operable to obtain and assemble results data as needed to satisfy the query data from the cache, the query data store, or one or more external data stores. Moreover, response instruction data is operable to return the query results data associated with the query data, See Carter, col. 2, lines 53-65).*

c. Carter does not teach determining whether a search result corresponding to the search query is stored in a cache.

The step of determining whether a search result corresponding to the search query is stored in a cache equates to *A cache is then searched for the query and results data responsive to the query, (See Carter, col. 2, lines 33-44).*

d. Quality does not reasonably mean mere presence or absence in the cache in Independent Claims 2, 13.

The limitation "quality" equates to missing results data of Carter *(i.e. A cache is then searched for the query and results data responsive to the query, if the query and results data are present in the cache, they are returned. Further, if partial results data exists in the cache then the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query, See Carter, col. 2, lines 33-44).*

It is suggested that the claimed invention should be further amended in order to better reflect the intended scope of the claimed limitation "quality" as specified in the present application in paragraph 0022. It is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

8. Applicant's arguments regarding Cater and Beeferman cannot be combined; and neither Getchius nor Schultz provide the elements of the independent claims that are not taught by

Carter and Beeferman, with respect to claims 8-10, 20-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham, can be reached on (571) 272-7079. The fax number to this Art Unit is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Miranda Le
October 11, 2007

JOHN COTTINGHAM
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